

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-62018-CIV-DIMITROULEAS

KEITH A. CLAYBORNE,

Plaintiff,

vs.

GOLDEN KRUST FRANCHISING, INC.,
Doing business as Golden Krust Caribbean
Bakery & Grill,

Defendant.

**ORDER ADOPTING AND APPROVING REPORT AND
RECOMMENDATION OF MAGISTRATE JUDGE;
GRANTING DEFENDANT'S MOTION TO COMPEL ARBITRATION**

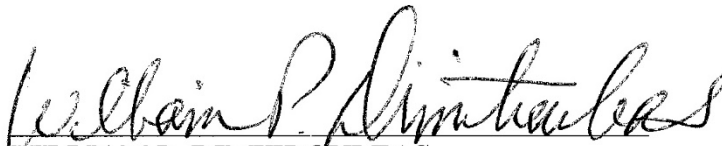
THIS CAUSE is before the Court upon Defendant Golden Krust Franchising Inc.'s Motion to Dismiss on the grounds asserted are all subject to arbitration [DE 12] (the "Motion") and the February 10, 2023 Report and Recommendation of United States Magistrate Judge Panayottta Augustin-Birch (the "Report") [DE 24]. The Court notes that no objections to the Report [DE 24] have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report [DE 24] are hereby adopted and deemed incorporated into this opinion. *LoConte v. Dugger*, 847 F.2d 745, 749-50 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988); *RTC v. Hallmark Builders, Inc.*, 996 F.2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report [DE 24] and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's analysis and conclusions.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 24] is hereby **ADOPTED** and **APPROVED**;
2. The Motion [DE 12] is hereby **GRANTED IN PART AND DENIED AS PART** as follows:
 - a. The parties are hereby **COMPELLED** to arbitrate the claims Plaintiff pled in the Complaint;
 - b. This action is hereby **STAYED** pending arbitration;
 - c. The Clerk is **DIRECTED** to **ADMINISTRATIVELY CLOSE** this case and **DENY AS MOOT** any pending motions.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 27th day of February, 2023.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies to:

Counsel of record